

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL MAXIE,

No. C 04-2255 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

HORIZON LINES, LLC and MATSON
NAVIGATION COMPANY

Defendants.

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The parties having advised the Court that they have agreed to a settlement of the
above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided,
however, that if any party hereto shall certify to this Court, within sixty days, with proof of
service of a copy thereon on opposing counsel, that the agreed consideration for the
settlement has not been delivered, the foregoing Order shall stand vacated and the action
shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: March 21, 2007

Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge